

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

**NOTICE OF DOCUMENT DISCREPANCIES****FILED**

2008 MAY -5 PM 2:01

TO: ☒ U. S. DISTRICT JUDGE / ☐ U. S. MAGISTRATE JUDGE ~~Before~~ US DISTRICT COURT  
 FROM: R. Mullin, Deputy Clerk RECEIVED DATE: 4/28/2008  
 CASE NO.: 08cv0325 L (POR) DOCUMENT FILED BY: Petitioner DEPUTY  
 CASE TITLE: Burton v. Director  
 DOCUMENT ENTITLED: Notice and Request for (Motion) Ruling...

Upon the submission of the attached document(s), the following discrepancies are noted:

<input checked="" type="checkbox"/> Local Rule	Discrepancy
<input type="checkbox"/> 5.1	Missing time and date on motion and/or supporting documentation
<input type="checkbox"/> 5.3	Document illegible or submitted on thermal facsimile paper
<input type="checkbox"/> 5.4	<b>Document not filed electronically. Notice of Noncompliance already issued.</b>
<input type="checkbox"/> 7.1 or 47.1	Date noticed for hearing not in compliance with rules/Document(s) are not timely
<input type="checkbox"/> 7.1 or 47.1	Lacking memorandum of points and authorities in support as a separate document
<input type="checkbox"/> 7.1 or 47.1	Briefs or memoranda exceed length restrictions
<input type="checkbox"/> 7.1	Missing table of contents
<input type="checkbox"/> 15.1	Amended pleading not complete in itself
<input type="checkbox"/> 30.1	Depositions not accepted absent a court order
<input type="checkbox"/>	Supplemental documents require court order
<input type="checkbox"/>	Default Judgment in sum certain includes calculated interest
<input checked="" type="checkbox"/> X	<b><u>OTHER: Case closed.</u></b>

Date forwarded: 4/29/2008**ORDER OF THE JUDGE / MAGISTRATE JUDGE**IT IS HEREBY ORDERED: 4/18/08 Order instructed Petitioner to re-open the case by filing a First Amended Petition no later than 5/6/16/08.

- ☐ The document is to be filed nunc pro tunc to date received.
- ☒ The document is NOT to be filed, but instead REJECTED, and it is ORDERED that the Clerk serve a copy of this order on all parties.

Rejected document to be returned to pro se or inmate? ☒ Yes. Court Copy retained by chambers ☐

Counsel is advised that any further failure to comply with the Local Rules may lead to penalties pursuant to Local Rule 83.1

CHAMBERS OF: LARRY ALAN BURNS  
U.S. DISTRICT JUDGE

Dated: 5-5-08  
 cc: All Parties

By: Shirley Lau Clerk

REJECTED

IN THE UNITED STATES DISTRICT COURT

SOUTHERN CALIFORNIA DISTRICT (SAN DIEGO)

IN re, ERIC WILTON BURTON

CASE NO. 3:08-CV-00325-LAB-POR

ON FEDERAL HABEAS CORPUS,

DATE - 4-24-08

PETITIONER

"NOTICE AND REQUEST FOR (MOTION)

VS.

RULING: "PLASANT TO 28 USC § 2254,

DIRECTOR, CALIFORNIA DEPARTMENT

REQUEST FOR EVIDENTIARY

OF CORRECTIONS AND REHABILITATION,

HEARING, REQUEST FOR

RESPONDENT, REPRESENTED BY

COURT TO GIVE NOTICE

ATTORNEY GENERAL, STATE OF

TO ALL PARTIES INVOLVED

CALIFORNIA, OFFICE OF THE

OF THE INSTANT MATTER

ATTORNEY GENERAL, 110 WEST

BASED ON MEMORANDUM AND

A STREET, SUITE 1100 SAN DIEGO,

POINTS OF AUTHORITY

CA. 92101-5266

NOTICE IS HEREBY GIVEN: TO THE ABOVE MENTIONED

HONORABLE DISTRICT COURT OF THE UNITED STATES, THE ATTORNEY

GENERAL, AND THE DIRECTOR OF THE CALIFORNIA DEPARTMENT OF

CORRECTIONS AND REHABILITATION. THE PETITIONER A PROPER

INDIGENT UNCONSTITUTIONALLY INCARCERATED PRISONER, NAMELY,

ERIC WILTON BURTON #F02720, MOVES THIS HONORABLE COURT

AS SOON AS THE MATTER MAY BE HEARD TO RULE ON HIS

TIMELY AND PROPERLY FILED PETITION FOR WRIT OF FEDERAL

HABEAS CORPUS, INCLUDING HIS FILED MOTION TO PROCEED

IN FORMA PAUPERIS, AS WELL AS HIS MOTION FOR THE

APPOINTMENT FOR THE ASSISTANCE OF COUNSEL AS NEEDED

FOR APPREHENSION OF DISCOVERY AND OTHER PERTAINENT FUNCTIONS